

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Joey Manahan, Chair; Kymberly Marcos Pine, Vice-Chair;
Michael Formby, Carol Fukunaga, Ron Menor, Heidi Tsuneyoshi

Committee Meeting Held
April 3, 2019

Honorable Ann H. Kobayashi
Interim Chair, City Council
City and County of Honolulu

Madam Chair:

Your Committee on Budget, which considered Bill 16 (2019) entitled:

"A BILL FOR AN ORDINANCE RELATING TO THE HONOLULU AUTHORITY
FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR
JULY 1, 2019 TO JUNE 30, 2020,"

transmitted by Departmental Communication 77 (2019), dated February 7, 2019, by the
Honolulu Authority for Rapid Transportation ("HART"), which passed First Reading at the
March 8, 2019 Council meeting, reports as follows:

The purpose of the bill is to appropriate \$2,412,352,987 for projects and public
improvements in the Utilities or Other Enterprises function for the HART Capital Budget
for Fiscal Year July 1, 2019 to June 30, 2020.

Representatives from HART provided comments on the bill and responded to
Councilmembers' questions and concerns.

Your Committee received comments from one individual. Written testimony in
opposition to the bill was received from one individual.

Your Committee amended the bill based on the Committee Chair's
recommendations after discussion and deliberation on proposed amendments.

CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON

APR 17 2019

COMMITTEE REPORT NO. 113

REPORT OF THE COMMITTEE ON BUDGET

Voting Members:

Joey Manahan, Chair; Kymberly Marcos Pine, Vice-Chair;
Michael Formby, Carol Fukunaga, Ron Menor, Heidi Tsuneyoshi

Committee Meeting Held
April 3, 2019
Page 2

The proposed CD1 makes the following amendments:

- A. Makes various substantive changes, which are noted in the Amendment List contained within the bill.
- B. Makes various technical and nonsubstantive amendments.

Your Committee on Budget is in accord with the intent and purpose of Bill 16 (2019), as amended herein, and recommends that it pass Second Reading, be scheduled for a public hearing, and thereafter be referred back to Committee in the form attached hereto, as Bill 16 (2019), CD1. (Ayes: Manahan, Menor – 2; Ayes with reservations: Formby, Fukunaga – 2; Noes: Tsuneyoshi – 1; Excused: Pine – 1.)

Respectfully submitted,



Committee Chair

CITY COUNCIL
CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ADOPTED ON APR 17 2019

COMMITTEE REPORT NO. 113



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 16 (2019), CD1

A BILL FOR AN ORDINANCE

RELATING TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET FOR THE FISCAL YEAR
JULY 1, 2019 TO JUNE 30, 2020.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. The revenues from the following sources estimated for the fiscal year July 1, 2019 to June 30, 2020 are hereby provided and appropriated for the purposes set forth in Section 2:

FUND CODE	SOURCE OF FUNDS	AMOUNT	TOTAL
FEDERAL FUNDS			
FG	Federal Grants Fund	\$100,000,000	\$100,000,000
GENERAL OBLIGATION BONDS:			
TF	Transit Improvement Bond Fund	\$1,964,352,987	\$1,964,352,987
TRANSIT FUND:			
TR	Transit Fund	\$348,000,000	\$348,000,000
TOTAL ALL FUNDS			\$2,412,352,987



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 16 (2019), CD1

A BILL FOR AN ORDINANCE

SECTION 2. The monies described in Section 1 for the fiscal year July 1, 2019 to June 30, 2020 are appropriated as indicated to the following projects and public improvements in the UTILITIES OR OTHER ENTERPRISES function. Nothing in this section shall be construed as restricting the allocation of monies among the work phase appropriations (e.g., planning, design, and construction).

PROJECT NUMBER	FUNCTIONS, PROGRAMS & PROJECTS	WORK PHASE	SOURCE OF FUNDS	TOTAL ALL FUNDS
<u>UTILITIES OR OTHER ENTERPRISES</u>				
MASS TRANSIT				
<u>HONOLULU AUTHORITY FOR RAPID TRANSPORTATION</u>				
2007005	HONOLULU HIGH CAPACITY TRANSIT PROJECT	92,805,139 L	100,000,000 FG	2,412,352,987
		4,764,166 P	1,964,352,987 TF	
	Plan, design, construct, inspect, relocate, acquire land,	9,061,137 D	348,000,000 TR	
	equipment and artwork for the Locally Preferred Alternative.	1,797,296,049 C		
		0 I		
		0 E		
		0 R		
		507,713,871 X		
		712,625 A		
TOTAL UTILITIES OR OTHER ENTERPRISES		\$2,412,352,987	\$2,412,352,987	\$2,412,352,987

UTILITIES OR OTHER ENTERPRISES

SOURCE OF FUNDS

FG Federal Grants Fund	\$100,000,000
TF Transit Improvement Bond Fund	1,964,352,987
TR Transit Fund	348,000,000

TOTAL SOURCE OF FUNDS	<u>\$2,412,352,987</u>
------------------------------	-------------------------------

WORK PHASE

L Land	\$92,805,139
P Planning	4,764,166
D Design	9,061,137
C Construction	1,797,296,049
I Inspection	0
E Equipment	0
R Relocation	0
X Other	507,713,871
A Art	712,625

TOTAL WORK PHASES	<u>\$2,412,352,987</u>
--------------------------	-------------------------------



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 16 (2019), CD1

A BILL FOR AN ORDINANCE

SECTION 3. General Provisos.

(a) As used in this Ordinance:

"Authority" means the Honolulu Authority for Rapid Transportation.

"Council" means the Council of the City and County of Honolulu.

"Government" means the federal government, the State government, the government of any other state, any political subdivision of any state, or any quasi-governmental entity.

(b) Limited purpose monies. The Authority may receive monies whose use is specified or otherwise limited by the monies' source from: (1) any governmental or quasi-governmental agency; (2) any private source including monetary gifts whose use is specified by the donor; or (3) any combination thereof. When such monies are received, the Authority shall maintain special funds or accounts showing the monies so received and specifying the purposes for which they have been received and held.

All such monies specified in Section 2 of this ordinance are appropriated in the amounts and for the purposes set forth, and all expenditures shall be made as provided by law. All other such monies not specified in Section 2 of this ordinance and which are limited purpose monies are hereby appropriated and may be expended by the Authority for their permitted limited purposes.

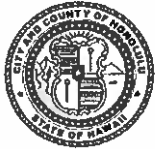
The Authority shall report to the Council no later than 30 days after June 30 detailing, for the capital budget fiscal year just ended, the amount of any excess monies received, and the function, program, and project to which the monies have been allotted for expenditure.

(c) At the close of the each quarter, the Authority shall submit to the Council a Statement of Cash balances by Fund showing for each quarter for each individual fund the cash balance at the start of the accounting period and the cash balance at the end of the period.

(d) Any appropriation authorized in this ordinance or any amendment thereto shall be valid for the fiscal year July 1, 2019 to June 30, 2020 and 12 months thereafter. Any part of such appropriation which is not expended or encumbered shall lapse on June 30, 2021.

(e) If any portion of this ordinance or the application thereof to any person or circumstance is held to be invalid for any reason, the Council hereby declares that the remainder of this ordinance and all other provisions thereof shall not be affected thereby. If any portion of a specific appropriation is held to be invalid for any reason, the remaining portion shall be independent of the invalid portion and such remaining portion shall be expended to fulfill the objectives of such appropriation to the extent possible.

(f) Except for the expenditure of limited purpose monies pursuant to subsection (b), no monies shall be expended by the Authority for any purpose from the Transit Fund or Transit Improvement Bond Fund, unless such monies are first appropriated by the Council.



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 16 (2019), CD1

A BILL FOR AN ORDINANCE

(g) The project number is included for accounting purposes only. If there is a conflict between the number and the project title in this ordinance, the project title shall prevail.

(h) In Section 2 of this ordinance, if there is a conflict between the work phases set forth in the narrative description of a project and the work phases set forth in the work phase column for the project, the work phases set forth in the work phase column shall prevail.

SECTION 4. The detailed Statement of Revenues and Surplus contained in the Executive Operating Program for the Fiscal Year July 1, 2019 to June 30, 2020, as transmitted to the Council in the Executive Program and Budget for the Fiscal Year 2020, Volume 1 (Operating Program and Budget), and as amended in any Executive Operating Program amendments, is hereby incorporated by reference and adopted as an integral part of this ordinance. The detailed Statement of Revenues and Surplus contained therein may be further amended regarding any applicable fund by any amendment to the Executive Operating Budget ordinance, Executive Capital Budget ordinance, Legislative Budget ordinance, Honolulu Authority for Rapid Transportation Operating Budget ordinance, or Honolulu Authority for Rapid Transportation Capital Budget ordinance. In case of any conflict between the substantive provisions of the Executive Operating Program as transmitted and this ordinance or the above budget amendments, the provisions of this ordinance and any of the above budget amendments shall prevail.

SECTION 5. HART Project Adjustments Account.

The funds provided from the HART Project Adjustments Account may be expended for any excess in contract price(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for land acquisition, planning, design, construction, inspection, relocation, equipment, artwork and miscellaneous costs. The Council's approval by resolution is required when the cumulative sum provided to a project from the Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or 10 percent of the budgeted amount.

Whenever a project's contract is executed for an amount less than the project's appropriation, only that amount that is excess within that phase shall be transferred to the Project Adjustments Account. The Authority shall report all transactions to or from the account to the Council within 30 days from the date the transfer was approved.

SECTION 6. The amendments to the Honolulu Authority for Rapid Transportation Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance.



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 16 (2019), CD1

A BILL FOR AN ORDINANCE

SECTION 7. This ordinance takes effect on July 1, 2019.

INTRODUCED BY:

Ann Kobayashi (br)

DATE OF INTRODUCTION

March 1, 2019
Honolulu, Hawaii

APPROVED AS TO FORM AND LEGALITY

Deputy Corporation Counsel

APPROVED this ____ day of _____, 2019

KIRK CALDWELL, Mayor
City and County of Honolulu



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII

ORDINANCE _____

BILL 16 (2019), CD1

A BILL FOR AN ORDINANCE

AMENDMENTS TO THE HONOLULU AUTHORITY FOR RAPID TRANSPORTATION CAPITAL BUDGET

CD1 Amendments = Plain Text

FUNCTION/PROGRAM/PROJECT

AMENDMENT

AMOUNT

PH

AMOUNT

FD

SECTION 3. General Provisos.

Amend subsection (f) to read as follows:

"(f) Except for the expenditure of limited purpose monies pursuant to subsection (b), no monies shall be expended by the Authority for any purpose from the ~~[transit fund]~~ Transit Fund or ~~[transit improvement bond fund]~~ Transit Improvement Bond Fund, unless such monies are first appropriated by the Council."

SECTION 5. HART Project Adjustments Account.

Amend the first paragraph to read as follows:

"The funds provided from the HART Project Adjustments Account may be expended for any excess in contract price(s) or project cost when the contract price(s) or the project cost exceeds the City's estimate for land ~~[acquisition]~~ acquisition, planning, design, construction, inspection, relocation, equipment, artwork and miscellaneous costs. The Council's approval by resolution is required when the cumulative sum provided to a project from the Project Adjustments Account during a fiscal year exceeds either the lesser of \$100,000 or 10 percent of the budgeted amount."

SECTION 6.

Add a new SECTION 6 to read as follows:

"SECTION 6. The amendments to the Honolulu Authority for Rapid Transportation Capital Budget ordinance, as attached hereto, are hereby incorporated by reference and adopted as an integral part of this ordinance."

Renumber existing SECTION 6 as SECTION 7.

- END OF BILL -